
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – MARCH 26, 2015

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held March 26, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

ABSENT: Summers 1.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business was review and approval of minutes from the investment committee meeting held March 16, 2015.

It was moved by Trustee Scott, seconded by Trustee Lappe that the Board approve the minutes of the Investment Committee Meeting held March 16, 2015, as amended.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

Next was the approval of the Minutes of the last regular meeting of the Retirement Board held February 26, 2015.

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the minutes from the regular meeting held February 26, 2015, as presented, except for the matter of Gregory Barnes, which is excluded.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

The President turned the meeting over to the recording secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of March 2015.

It was moved by Trustee Scott, seconded by Trustee Lappe that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

7 - 9 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations, and Exempt Rank.

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Refunds as detailed on pages 7 through 9.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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Page 2.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

10 - 11 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Scott that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 10 and 11.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

12 Refund of Unused Annuity Accumulations

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Refund of Unused Annuity Accumulations as detailed on pages 12.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

13 - 16 Annuities [Summary pg. 17]

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Annuities as detailed on pages 13 through 16.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

18 Annuities to Widows [Summary pg. 19]

It was moved by Trustee Hauser, seconded by Trustee Scott that the Board approve the Annuities to Widows as detailed on page 18.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

20 Annuities to Children

It was moved by Trustee Scott, seconded by Trustee Avila that the Board approve the Annuities to Children as detailed on page 20.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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Page 3.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

21 Occupational/Duty Disability Benefit Claims

 a) **Ranieri, Frank S.**

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

22 - 23 Payments of Death Benefits [Summary pg. 24]

It was moved by Trustee Scott, seconded by Trustee Hauser that the Board approve the Death Benefits as detailed on pages 22 and 23.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MISCELLANEOUS

25 CLAIM FOR CHILD DISABILITY BENEFITS

 Aceves, Juan

It was moved by Trustee Hamburger, seconded by Trustee Hauser that the Board approve the Child Disability benefit as detailed on page 25.

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Scott, Wright 6.

Absent: Summers 1.

Against: Lappe 1.

26 GUARDIANSHIP APPOINTMENT

 Robertson, Robert

It was moved by Trustee Hauser, seconded by Trustee Scott that the Board acknowledge the Guardianship Appointment as detailed on page 26.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

27 PETITION FOR PENSION CREDIT FOR LEAVE OF ABSENCE PERIOD

 Hayes, Michael A.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board approve the petition to receive pension credit for leave of absence period as detailed on page 27.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

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AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

28 PETITIONS FOR PENSION CREDIT FOR PRIOR MILITARY
SERVICE UNDER 5-214.3

Documentation verified, it was moved by Trustee Scott, seconded by Trustee Hamburger that the Board approve the prior military service petitions as detailed on page 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

General Agenda completed, a scheduled conference call with Don Broggi from Scott & Scott was started regarding potential settlement on a litigation matter. It was advised that the discussion should be conducted while the Board is in executive session.

It was moved by Trustee Scott, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(7) to discuss litigation matters.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Scott, seconded by Trustee Hauser that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was again moved by Trustee Scott, seconded by Trustee Wright that the Board go into executive session pursuant to 2 (c)(11) related to litigation matters.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Scott, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

Board counsel submitted five (5) drafted Orders, for Board approval.

In the matter of **Mario Acosta**, it was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Order on Mario Acosta, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Summers 1.

Against: 0.

Abstain: Scott 1.

MINUTES CONTINUED

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In the matter of **Anthony Snyder**, it was moved by Trustee Wright, seconded by Trustee Scott that the Board approve the Order on Anthony Snyder, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

In the matter of **Randall King**, it was moved by Trustee Scott, seconded by Trustee Hamburger that the Board approve the Order on Randall King, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

In the matter of **Thomas Sieja**, it was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve the Order on Thomas Sieja, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

In the matter of **Gregory Barnes**, it was moved by Trustee Scott, seconded by Trustee Wright that the Board approve the matter on Gregory Barnes, as presented in the Minutes from the February 26, 2015, meeting of the Board.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

The Board President Hauser called the hearings on the scheduled cases.

HEARINGS

29 PETITIONS FOR PENSION CREDIT FOR PRIOR SERVICE

Gonzalez, Enrique

Enrique Gonzalez appeared before the Board on his petition to received pension credit for prior service as detailed on page 29. After hearing testimony and reviewing the documents submitted, it was moved by Trustee Scott, seconded by Trustee Maloney that the Board go into executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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PAGE NO. REFERENCE

29 Gonzalez, Enrique; continued

It was moved by Trustee Maloney, seconded by Trustee Lappe, that the Board grant Officer Gonzalez pension credit for his prior service as requested.

ROLL CALL

For: Avila, Hauser, Lappe, Maloney, Scott, Wright 6.

Absent: Summers 1.

Against: Hamburger 1.

30 PETITIONS FOR PENSION CREDIT FOR PRIOR SERVICE

 Heard, Pauline

Pauline Heard appeared before the Board on her petition to received pension credit for prior service as detailed on page 30. After hearing testimony and reviewing the documents submitted, *it was moved by Trustee Scott, seconded by Trustee Hamburger that the Board deny the request for pension credit for service prior to her appointment to the Chicago Police Department.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

31 ADDRESS THE BOARD ON PREVIOUS PETITION

 Barnes, Gregory

This member withdrew his request to address the Board of Trustees.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEW

32 Aguilera, Melissa

Attorney representative appeared on behalf of Melissa Aguilera to request a continuance on this claim since the most recent IME recommended a FCE, which has not yet been completed. *It was moved by Trustee Scott, seconded by Trustee Hamburger, that the Board approve the completion of a Functional Capacity Evaluation for Melissa Aguilera.*

ROLL CALL

For: Avila, Hamburger, Hauser, Maloney, Scott, Wright 6.

Absent: Summers 1.

Against: Lappe 1.

It was moved by Trustee Scott, seconded by Trustee Wright, that the Board go into executive session per 2 (c) (11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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PAGE NO. REFERENCE

33 Buckley, James

James Buckley appeared before the Board, without counsel, on his disability status review prepared to proceed with the hearing. After hearing testimony from James Buckley and reviewing the reports submitted *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board, finding James Buckley no longer disabled, terminate his duty disability benefit effective April 30, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

34 Madigan, Karen

Karen Madigan appeared before the Board, without counsel, on her disability status review prepared to proceed with the hearing. After hearing testimony from Karen Madigan and reviewing the reports submitted *it was moved by Trustee Wright, seconded by Trustee Scott that the Board, finding Karen Madigan no longer disabled, terminate her disability benefit effective April 30, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

DUTY DISABILITY CLAIMS

35 Hespe, Kelly S

Attorney representative appeared on behalf of Kelly Hespe to request a continuance on this claim. *It was moved by Trustee Wright, seconded by Trustee Maloney, that the Board grant a general continuance with no specific date scheduled for hearing.*

ROLL CALL

For: Avila, Hauser, Lappe, Maloney, Wright 5.

Absent: Summers 1.

Against: Hamburger, Scott 2.

35 Mheenbeek, Adria T.

Adria Mheenbeek failed to appear on her scheduled hearing for benefits. *It was moved by Trustee Wright, seconded by Trustee Maloney, that the Board continue the hearing on the disability claim of Adria Mheenbeek.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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PAGE NO. REFERENCE

35 Roberts, Alonzo

Alonzo Roberts appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Scott, seconded by Trustee Maloney that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Scott, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board grant Officer Roberts, subject to a full evidentiary hearing, an ordinary disability benefit without prejudice and the Board reserves the right prior to such hearing to revisit and terminate that benefit if it's determined warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

35 Rosenthal, Daniel

Daniel Rosenthal appeared before the Board, with counsel, on his claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *it was moved by Trustee Wright, seconded by Trustee Scott, that the Board award duty disability benefits for the period October 7, 2014 through April 30, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Wright, seconded by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Pension Code for the same period.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

Following the recommendation of Scott & Scott; *it was moved by Trustee Scott, seconded by Trustee Wright, that based on Scott & Scott's confidential litigation report provided to the Board and counsel, the Board accept and approve the terms of the proposed resolution in regards to 651786/2011.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

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The Executive Director reviewed with the Board the following matters.

- Based on annual exams of disability recipients, the Board's physician has recommended additional testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
Johnny Jenkins	IME
Rafael Rodriguez	FCE
Michael Selke	FCE
Angel Zaragoza	FCE

It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the recommendations of the Board's physician to have the IME and FCEs for the mentioned individuals.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

- Discussion was held concerning the Chicago Police Department's pre-retirement seminars and a request to provide funding for refreshments to attendees at the four seminars held each year. The Board gave no approval at this time.
- May 26, 2015, is the annual Police Recognition Ceremony and luncheon for which a request to purchase one table that would be attended by Trustees and staff.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board purchase a table for the Police Recognition Ceremony.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

- Communication from the Firemen's Annuity & Benefit Fund was directed to certain Board members concerning Tier II participants and the benefits available to surviving spouses of active members. It was recommended that Board's counsel review the legislative language of 2011 for further discussion.
- Attendance at various conferences was discussed.
- Discussion was held regarding a request from an annuitant to have healthcare premiums withheld from his pension and directed to a healthcare administrator, other than the City of Chicago. Such treatment would allow the annuitant to receive the \$3,000 public safety officer deduction on his federal taxes, despite non-utilization of the City of Chicago's postretirement healthcare plan. The current administration of this pension deduction and related tax benefit was discussed. It was recommended that this annuitant's request be granted and that other research be conducted on administration of similar programs at other public pension funds.
- Request was made by a Trustee to attend the LOFT Investor's Forum held in June 2015.

It was moved by Trustee Wright, seconded by Trustee Scott that the Board approve attendance by any Trustee who wants to attend this Forum.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

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- Trustee Maloney requested approval and travel expenses to attend the Institutional Investor round table held in April 2015.

It was moved by Trustee Wright, seconded by Trustee Scott that the Board approve attendance by Trustee Maloney at the Roundtable for Public and Taft Hartley Plans April 22 - 24, 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

- President Hauser made an inquiry regarding the Police Pension's proceeds from the Chicago Police & Fire vs. Chicago Blackhawks baseball game held September 11, 2014. Follow up will be completed.
- The Executive Director introduces new employee, Jacqueline Robinson, hired as a retirement counselor and team leader of the receptionist group.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

It was moved by Trustee Scott, seconded by Trustee Wright, that the Board go into executive session per 2 (c) (2).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

All business concluded for this date, March 26, 2015, *it was moved by Trustee Hamburger, seconded by Trustee Avila that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.